

INTERNATIONAL MILITARY TRIBUNAL FOR THE FAR EAST
SITTING AT TOKYO, JAPAN

Case No. 1

THE UNITED STATES OF AMERICA; et al) ORDER:
- vs -) GRANTING WITHDRAWAL FROM
) THE FILES OF THE
ARAKI, Sadao; et al) TRIBUNAL COURT EXHIBIT
) NO. 2361.

This matter coming on to be heard on this 26th day of March, 1947, before The Honorable Sir William Webb, President of the Tribunal, upon the application of the accused herein, by their Counsel of record, for an order of the Tribunal granting leave to withdraw from the files of the Tribunal, on the usual terms, the original document comprising Court Exhibit No. 2361 heretofore presented and marked for identification only, and from which document excerpts have been offered and received in evidence and identified as Court Exhibits Nos. 2361-A, 2361-B, and 2361-C respectively, which said original document, to-wit: Court Exhibit No. 2361, is more particularly described as follows:

A book entitled "Government in Japan"
by Charles B. Fahs, and published in the
year 1940 by the International Secretariat
of the Institute of Pacific Relations, New
York City;

said withdrawal of said original document being for the
purpose of returning the same forthwith to the source

from which it had been secured; to-wit: The Head Librarian of the Ernie Pyle Library in Tokyo, Japan; and, it appearing to the Tribunal that the withdrawal of this document, Court Exhibit No. 2361 (for identification only) as requested, will in no wise prejudice the rights of the Prosecution or of the accused, or any of them, and no substantial injustice will result thereby to the said Prosecution or the said accused; and it further appearing to the Tribunal that the Prosecution has consented to the granting of this application and the withdrawal of said Exhibit, and

The Tribunal hearing the arguments of Counsel, and being fully advised in the premises, it is the decision of the Tribunal that said application be granted, as prayed, and it is

ORDERED: That said application be and is hereby granted, as prayed; and it is further

ORDERED: That Court Exhibit No. 2361 be withdrawn from the files of the Tribunal forthwith and returned to the source from which it was obtained, under the express term and condition, however, that said document shall be returned to the Tribunal upon request, in the event either the Tribunal, or the Prosecution, or the Defense should desire it for the purpose of this trial; and it is further

ORDERED: That the excerpts from Court Exhibit No. 2361, to-wit; Court Exhibits Nos. 2361-A, 2361-B, and 2361-C, shall remain in the files and records of the Tribunal, and that this order in no respect affects their

present status.

Dated at Tokyo, Japan, this 26 March 1947.

BY THE TRIBUNAL:

/Sgd/ W. F. Webb
PRESIDENT